

### AMENDMENT TO THE CLAIMS

Claim 1. (Currently Amended) A replenishment toner for use in an image forming apparatus that detects a toner concentration in a two-component developer by use of a magnetic permeability detecting means and that is initially loaded with an initial toner containing 0.5 to 1.5% by volume of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller,

wherein ~~a percentage by volume of~~ a content of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller contained in the replenishment toner is in a range from 0.75 to 5.25% by volume and simultaneously said ~~in a range is~~ from 1.5 to 3.5 times the percentage by volume of such toner particles contained in the initial toner.

Claim 2. (Original) A replenishment toner as claimed in claim 1, wherein a median particle diameter on a volume basis of the replenishment toner is in a range from 8.0 to 12.0  $\mu\text{m}$ .

Claim 3. (Previously Presented) A replenishment toner as claimed in claim ~~1~~ 2, wherein a median particle diameter of the replenishment toner is equal to a median particle diameter of the initial toner.

Claim 4. (Previously Presented) The replenishment toner of claim 1, wherein the percentage by volume of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller contained in the replenishment toner is in a range from 2.0 to 2.5 times the percentage by volume of such toner particles contained in the initial toner.

Claim 5. (Previously Presented) The replenishment toner of claim 1, wherein the percentage by volume of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller contained in the replenishment toner is in a range from 1.7 to 3.3 times the percentage by volume of such toner particles contained in the initial toner.

Claim 6. (Previously Presented) A replenishment toner for use in an image forming apparatus that detects a toner concentration in a two-component developer by use of a magnetic permeability detecting means and that is initially loaded with an initial toner containing 0.6 to 1.0% by volume of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller,

wherein a percentage by volume of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller contained in the replenishment toner is in a range from 1.5 to 3.5 times the percentage by volume of such toner particles contained in the initial toner.

Claim 7. (Previously Presented) The replenishment toner of claim 6, wherein the percentage by volume of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller contained in the replenishment toner is in a range from 2.0 to 2.5 times the percentage by volume of such toner particles contained in the initial toner.

Claim 8. (Previously Presented) The replenishment toner of claim 6, wherein the percentage by volume of toner particles with particle diameters of 5.04  $\mu\text{m}$  or smaller

contained in the replenishment toner is in a range from 1.7 to 3.3 times the percentage by volume of such toner particles contained in the initial toner.